



October 29, 2019

Willow DEIS Comments
Bureau of Land Management
Attn: Rachael Jones
222 West 7th Ave., #13
Anchorage, Alaska 99513

Submitted via : blm_ak_willow_comments@blm.gov

SUBJ: Willow Master Development Plan - Draft Environmental Impact Statement Comments

Dear Ms. Jones:

This letter provides comments from Arctic Slope Regional Corporation (ASRC) on the Bureau of Land Management's (BLM) Draft Environmental Impact Statement (EIS) for the ConocoPhillips Alaska, Inc. (CPAI) Willow Master Development Plan (Willow MDP) as required by the National Environmental Policy Act (NEPA). ASRC recognizes BLM's efforts to ensure that oil and gas development and production on the North Slope of Alaska continues to proceed in a sustainable manner and appreciates the opportunity to comment on BLM's NEPA analysis.

ASRC is currently engaged in Alaska Native Claims Settlement Act (ANCSA) Corporation Consultation with BLM on the Willow EIS and considers these comments supplemental to our input provided during the consultation process.

I. General Comments on the SEIS

ASRC has not yet committed to an alternative due to local concerns and wishes to discuss BLM's analysis and community concerns further in the ANCSA Consultation. ASRC shares similar concerns as the local stakeholders regarding the proposed Alternatives and Modular Transfer options and requests BLM to work with the operator on creative solutions to address them.

As stated in BLM's Notice of Intent (NOI) the Willow EIS will be prepared in accordance with recently issued guidance on streamlining and improving the NEPA process, ASRC urges BLM to closely examine and devote adequate time to the concerns brought up by the local stakeholders. Specifically regarding the overall gravel footprint of the project, location and proximity of the BT2 and BT4 drill sites to the Teshekpuk Lake Special Area (TLSA) and the Teshekpuk Lake Caribou Habitat Area (TLCHA), the orientation of the infield road connecting BT1, BT2 and BT4 drill sites and its potential to disrupt caribou movement, the construction of the offshore island in shallow waters of Harrison Bay, the implementation of high-powered lines as technically fast as possible and the location of the proposed gravel mine site.

Safe, culturally sensitive, and environmentally sound development of the Willow project directly impacts ASRC's finances, businesses, and shareholders across the North Slope, especially our shareholders residing in the community of Nuiqsut. For these reasons, ASRC has performed a thorough review of the Willow Master Development Plan project and is committed to working closely with both BLM and the operator to address concerns from local stakeholders regarding the project and how balance can be maintained throughout the development of Willow.

Incorporation of Traditional Knowledge

ASRC expects that BLM consider the history of Traditional Knowledge (TK) throughout the EIS and their review of the Willow project. Traditional Knowledge is based on generations of observations of the environment, ecosystem, and the animals which inhabit our lands. It has sustained Arctic indigenous cultures for daily activities and during times of adversity for a millennia. When incorporated into Arctic oil and gas development projects and into the assessment of these projects, it can improve operating practices, safety procedures, and emergency and environmental response systems. In addition to the environmental data that has been collected over the decades supporting this project, traditional knowledge should be a key source of information in assessing impacts and also supporting appropriate mitigation to minimize potential impacts to the environment and animals, especially those terrestrial animals and birds harvested for subsistence. ASRC recommends that BLM work closely with the local Kuukpik Corporation, Native Village of Nuiqsut, City of Nuiqsut, and ASRC and the NPR-A Working Group in order to incorporate Traditional Knowledge more fully into their decision-making and management of the NPRA.

II. Specific Comments on BLM's Analysis

ASRC considers potential impacts to our communities very seriously as Willow will be developed within the traditional land use area of the Nuiqsut community and the Iñupiat people will feel the positive and negative impacts from Willow development first and foremost. The proposed Willow development will have a much larger footprint as compared to the most recent developments like GMT1 and the on-going GMT2 project. We recognize the importance of preserving the integrity of our resources, whether they be lands, subsistence, or the oil and gas resources in our region. We acknowledge that resource development in our region provides very tangible benefits to our community which have helped propel the Inupiat into the modern world; however, there are impacts which should be avoided, mitigated, and minimized at every stage. We have a vested interest in ensuring that oil and gas development and production in the Arctic is conducted in a manner that does not negatively impact our communities and our shareholders. With appropriate mitigation, consultation with local stakeholders, and through implementation of traditional knowledge and science, and the legacy of successful operations on the North Slope, ASRC feels Willow can be developed in a safe and responsible manner with a minimal footprint on the local environment. ASRC has several comments and recommendations on how BLM can refine their analysis to better describe the impacts, both positive and negative, resulting from the

project which are explained further below. ASRC offers the following comments and recommendations in order to improve BLM's analysis.

Subsistence

With respect to impacts to the subsistence activities, ASRC has several comments on how subsistence is addressed in the Willow MDP and throughout the EIS:

1. Potential Impacts to the Community of Nuiqsut

ASRC is intimately aware of the social and cultural importance of living a subsistence lifestyle and does not regard any potential impacts lightly as it is ASRC's shareholders who are the hunters that will be impacted. However, ASRC is also aware of the abundant data and traditional knowledge which is utilized to minimize impacts. Our Iñupiat culture depends upon a healthy ecosystem and the subsistence resources it provides. Simultaneously our communities depend on active and prospective oil and gas development for a stable North Slope economy. We do not view these as mutually exclusive activities; rather, we believe and have proven that balance can be obtained to sustain our communities and shareholders. The working collaboration between subsistence hunters and industry leaders is the essential ingredient to successful operations and a successful hunt.

Although ASRC notes ConocoPhillips' efforts to proactively address subsistence impacts through monetary means, project design features, mitigation measures and other mechanism, valid concerns remain from local stakeholders on the cumulative impact and pace of local resource development on the subsistence lifestyle of the local people. While ASRC, Kuukpik Corporation (Kuukpik), ConocoPhillips, BLM, and the local stakeholders work diligently to minimize these impacts, steps can be taken to support this working relationship. For instance, in a recent public meeting in Nuiqsut for the Willow MDP scoping concerns were voiced that the proposed 25 mile road extending north-south in this area will be a major deterrent to migrating caribou, particularly those moving from Teshekpuk Lake in the west to areas east of Nuiqsut. ASRC encourages ConocoPhillips to work closely with the local hunters with respect to caribou migration patterns and address concerns regarding the proposed location and orientation of infield roads and pipelines. Addressing any negative impacts to subsistence would help preserve the benefits, which have begun to accrue as a result of the Spur Road, and which helped make other projects (GMT1 and GMT2) more acceptable from a cost-benefit perspective. ASRC is pleased to see subsistence tundra access ramps included in the road design. Nevertheless, ASRC encourages ConocoPhillips to continue to address concerns regarding the design of the subsistence ramps and, where possible, reduce the slope of the subsistence ramps and height of the road to an acceptable level.

ASRC shares similar concerns raised by its stakeholders regarding the applicants preferred option for the Module Delivery Options as proposed in DEIS. The proposed 13 acre gravel island, using 396,000 cubic yards of gravel fill will be constructed in Harrison Bay near Atigaru Point. There is a firm local opposition to this proposed Module Transfer Island (MTI) option and valid concerns the gravel island would cause sedimentation of subsistence use areas and pollution from the sandbags used to secure the island in place. ASRC encourages ConocoPhillips to work

with the community on viable options that will address their concerns meet the community needs and use existing infrastructure whenever possible.

Additional concerns raised at the public meeting in Nuiqsut was the timing of the Willow MDP decision-making prior to understanding the impacts from the recent GMT1 and GMT2 development. Specifically, ASRC notes that local hunters are wary of impacts to subsistence from GMT1 and GMT2 that may not be fully realized prior to the Willow MDP Record of Decision. With respect to this concern, ASRC recommends that ConocoPhillips to work directly with Nuiqsut Trilateral Group, local hunters, and the NPRA Working Group to closely examine any impacts from GMT1 and GMT2 and proactively address these with respect to Willow MDP. Our elders had the foresight to secure a financial benefit from the resource potential of our region by forming the North Slope Borough while implementing a standard of a development to include great care of the Iñupiat culture—and has been practiced between local stakeholders and industry leaders for many years. The working relationship between hunters and industry does not end with BLM's NEPA's permitting process but should be maintained throughout life of Willow MDP. To this end, ASRC recommends that ConocoPhillips engage hunters directly and jointly examine how lessons learned from GMT1 and GMT2 can inform the development of Willow MDP outside and beyond the permitting process.

2. BLM's Recommended Mitigation Measures

ASRC supports several of the Potential Mitigation Measures listed by BLM, but ASRC encourages ConocoPhillips to continue to work with the community on ways impacts can be further reduced, especially with regards to boat ramps at Fish Creek and Judy Creek. As noted above, ASRC encourages ConocoPhillips to continue evaluating the slope of subsistence ramps, height of the Access Road, and work with local subsistence hunters on continually evaluating impacts to subsistence users and subsistence resources from the Alpine, GMT1, and GMT2 development. Through this collaboration, local subsistence hunters can express their concerns directly to the operator and the operator can directly address concerns whenever appropriate. ASRC supports this level of coordination and looks forward to participating in future engagements.

Project Footprint

The biggest drivers of negative impacts from the Willow MDP are twofold: the sheer size of the project as compared to more recent project like GMT1 and GMT2, its potential to disrupt subsistence practices and the pace of development and local concerns of development surrounding the community. The Willow MDP will have a gravel footprint of over 400 acres without considering the MTI gravel island. The size of this project is comparable to the Alpine development and the resulting impression on our native lands is profound. ASRC strongly recommends Conoco to look at Alternatives that will use minimal gravel for construction and potentially offer lesser levels of impacts to the environment.

Additionally, the proposed new 115 acre mine site would be in close proximity of Nuiqsut (around 7 miles west of the village). ASRC recognizes that a substantial amount of gravel will be required for the construction of roads and pads. It is our understanding that a significant risk

arises from starting a new gravel mine for wildlife and subsistence users. ASRC requests BLM to include impacts of Avoidance caused by the proposed new mine in its analysis.

Air Quality

ASRC understands that air quality is a growing concern for local stakeholders. Concerns over air quality still remain and local stakeholders have expressed distrust in the air quality modelling conducted. To address these concerns, ASRC recommends the following:

- BLM should support efforts for local capacity building so the City of Nuiqsut can manage the local air quality monitoring station and analysis of that data; and,
- The operator should commit to working with the NSB Health Department and Nuiqsut Trilateral Group on providing accessible and clear information on air quality measurements, information, and mitigation measures.

Permitting Impacts

BLM correctly notes the burdensome permitting process creates sociocultural impacts on the community of Nuiqsut. ASRC has raised this impact to BLM several times. To alleviate this impact on the community, ASRC urges BLM to host the required, mandatory meetings in the community of Nuiqsut or when requested by the Native Village of Nuiqsut or Kuukpik Corporation. ASRC encourages BLM to maintain alignment with ANILCA with respect to public meetings and adhere to the input from Kuukpik and the Native Village of Nuiqsut on ways to minimize BLM's permitting footprint in the community which has caused unnecessary anxiety and exhaustion.

Economic Significance

ASRC has repeatedly communicated to BLM the economic significance of the Willow MDP. The local development of Willow MDP will provides contracting opportunities for Alaska Native Corporations (ANCs) and jobs for our shareholders. Empowering our shareholders to gain a stable source of income through employment, without having to give up their cultural way of life, is just one example of how ANC's benefit immensely from contracting opportunities. Revenue to ANCs in turn provides direct benefit to the well-being of the local people and the monetary tools to support our way of life, including our subsistence culture.

Continued, responsible resource development across the North Slope, particularly of Native-owned resources, provides numerous financial benefits to the local people via the the North Slope Borough, Alaska Native Corporation dividends, or through indirect mechanisms like contracting and job opportunities, public services, and more. Over 90% of the NSB's operating budget is derived from royalties and taxation of North Slope production and TAPS; the NSB budget is in direct correlation with production. The NSB then provides all of the essential services to the local communities, these services include: K-12 education, health clinics, sewage, refuse, fire department, wildlife protection, research, police services, search and rescue, emergency response services, and other community necessities. These modern day amenities should not be dismissed. Continued production and throughput into TAPS generates the means

for the NSB to provide these services which are essential to NSB residents' quality of life and social welfare and revenue for capital improvements. Further, regional benefits from the NPR-A Impact Fund which allocates funds to the municipal governments of the NPR-A communities should be fully considered in BLM's analysis. The NPR-A Impact Fund has provided benefits to the local communities as a direct result of development within NPR-A, and will be further stimulated by the Willow development. Evidence of this positive impact can be seen with the gas pipeline in Nuiqsut, which was funded by the NPR-A Impact Fund.

III. Conclusion

ASRC has not yet committed to an alternative due to local concerns and wishes to discuss BLM's analysis and the community concerns further through the ANCSA Consultation. ASRC appreciates BLM's review of our comments and looks forward to working together to incorporate our recommendations into BLM's analysis.

Thank you in advance for your consideration of our comments.

Sincerely,

A handwritten signature in blue ink, appearing to read "Teresa Imm".

Teresa Imm
Executive VP, Regional and Resource Development

CC: Kuukpik Corporation, President
North Slope Borough, Mayor Brower

About ASRC

ASRC is an Alaska Native Regional Corporation created at the direction of Congress under the terms of ANCSA of 1971. ANCSA directs ASRC and other ANCSA corporations to use the North Slope's natural resources to benefit the Iñupiat people financially and culturally. Consistent with this legislation, ASRC is a for-profit business that is committed to providing sound returns to our shareholders and to preserving our Iñupiat way of life, culture, and traditions. ASRC has a shareholder base of approximately 13,000 Iñupiat and owns approximately five million acres of land on Alaska's North Slope. Of that total, ASRC owns approximately 320,000 acres of subsurface rights to the land that lies within NPR-A, including lands in the GMT-1 and GMT-2 areas, conveyed or selected for conveyance to the corporation under ANCSA as a settlement of aboriginal land claim.